SHRI RAM JETHMALANI: Sir, the hon. Member has always been trying to be helpful. Surely, you don't ask these questions of arithmetic. During the last fifty years, the Constitution has been amended 79 times. I Jjave always said that we have shown less respect for the Constitution than we have shown for the Cattle Tresspassers Act. But when this Commission is there, the Commission will not touch the basic features and the parliamentary form of Government, which means, 95 per cent of the Constitution is really not going to be touched or even reviewed. It is the remaining five per cent may be even less or may be a little more—which are the loose nuts and bolts which we are seeing whether they should be tightened to achieve the original purpose of the Constitution, which everybody agrees, has not been fully achieved. Of course, Sir, during the emergency, the Swaran Singh Committee was constituted. Their terms of reference were, basic changes in the Constitution because through the judiciary the basic structure adopted could not be overturned. Therefore, the Commission has been appointed.

SHRI RAM JETHMALANI: But, Sir, let us not go into these matters of the past. They do not add to friendship and harmony in the House. Let us forget all these matters. Let us hope ...*(Interruptions)*...

MR. CHAIRMAN: Hon. Member, please hear the reply. You have been talking. This is not good. You put the question and the hon. Minister was replying, but you started talking there. This is against the etiquette of the House.

Holding of Court at New Delhi Railway Station

*423. SHRI NARENDRA MOHAN :†
SHRIMATI JAYAPRADA NAHATA:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government are aware of the recent incident at New Delhi Railway Station in which a sitting judge of the Allahabad High Court held a 'trial' for contempt of court against a railway employee, who failed to provide a berth to the honourable judge;

(b) if so, what is the reaction of Government thereto; and

† The question was actually asked on the floor of the House by Shri Narendra Mohan.

(c) whether Government are thinking of any measures to avoid incurrence of such incidents in future?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RAM JETHMALANI): (a) to (c) The Government has seen the Press Reports in this regard.

The Supreme Court of India is looking into the matter.

SHRI RAM JETHMALANI: Sir, we have noticed the conduct of the judge. It is being enquired into by the Supreme Court... *(Interruptions)*... We cannot do that, Sir ...*(Interruptions)*...

SHRI HANSRAJ BHARDWAJ: I do not think we can discuss the conduct of the judge. ...*(Interruptions)*...

SHRI PRANAB MUKHERJEE: It will be appropriate if this question is not discussed on the floor of the House. Now, it is the property of the House. We cannot do anything. We have to take the sense of the House.

SHRI RAM JETHMALANI: Let me make it clear. Sir, whatever is attributed to the judge is so outside his jurisdiction and discharge of his duties that I do not wish to take shelter under article 121 of the Constitution. Though, Mr. Bhardwaj has very kindly suggested that ...*(Interruptions)*...

SHRI HANSRAJ BHARDWAJ: Mr. Minister, we were not apprised of the facts. ...*(Interruptions)*...

SHRI NARENDRA MOHAN: Sir, I am not going to discuss the conduct of the judge. ...*(Interruptions)*...

MR. CHAIRMAN: The Minister is here.

SHRI RAM JETHMALANI: Sir, the Supreme Court has written to me that they have taken cognizance of this matter. They are enquiring into it. So, in a sense the matter is *sub-judice.* It is on that ground that I would not like a further discussion on this.

MR. CHAIRMAN: That is all right. Now, let us go to next question.